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CENTRAL AMERICAN COUNTERTERRORISM AND LAW ENFORCEMENT PROFESSIONALIZATION ACT OF 1985

DECEMBER 10 (legislative day, DECEMBER 9), 1985.—Ordered to be printed

Mr. LUGAR, from the Committee on Foreign Relations, submitted the following

REPORT

[To accompany S. 1915]

[Including cost estimates of the Congressional Budget Office]

The Committee on Foreign Relations, having under consideration an original bill to amend the Foreign Assistance Act of 1961 to provide special assistance to combat terrorism in Central American countries reports favorably thereon and recommends that the bill do pass.

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PURPOSE

The bill has two purposes. The first is to authorize $21 million in assistance to Costa Rica, El Salvador, Guatemala and Honduras for the fiscal year 1986 to combat terrorism and professionalize law enforcement agencies. The second is to establish a $1 million Counterterrorism Protection Fund. The Secretary of State may draw upon this fund to protect persons who provide information or other assistance concerning terrorist incidents wherever they occur.

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Overview of Committee's Legislation

SUMMARY

The bill authorizes $21 million in assistance to Costa Rica, El Salvador, Guatemala and Honduras for fiscal year 1986 to combat terrorism and help professionalize the law enforcement agencies of these countries. One million dollars is also authorized for a witness protection fund. Except where provided to the contrary, all funds are to be spent in accord with the provisions of the Antiterrorism Assistance (ATA) chapter of the Foreign Assistance Act. No funds are provided for military assistance programs. Before monies may be provided to aid any country, the President is required to report to Congress on human rights and law enforcement matters. In addition, no funds may be expended to aid Guatemala until an elected civilian government assumes power.

APPLICABLE REQUIREMENTS OF ATA

The following three requirements of existing law will apply to funds authorized by this bill:

(1) The Assistant Secretary of State for Human Rights must be consulted in developing and implementing the programs;

(2) 30 days prior to providing assistance, the President must notify the Congress of the details of the assistance (country, equipment furnished and value, etc.); and

(3) if during this 30 day period the chairman of either the Senate Foreign Relations Committee or the House Foreign Affairs Committee requests a human rights report on the country to be assisted, no assistance may be furnished until the report is received.

ATA AUTHORITIES WAIVED

The following provisions of existing law are waived:

(1) the ban on training provided by United States personnel outside the United States;

(2) the prohibition on training by State Department officials; and

(3) the prohibition on the sharing of intelligence and the provision of intelligence-related equipment.

While training may take place in the four countries, the bill directs that "to the maximum extent practicable" this training is to occur in the U.S. Detailed reports to Congress justifying any training outside the United States are required.

MODIFICATIONS OF EXISTING ATA PROVISIONS

The 1985 Foreign Assistance Authorization Act relaxed the ban in the ATA chapter on the provision of weapons and related equipment. The 1985 law permits the transfer of three items listed on the United States Munitions List: (1) small arms, (2) ammunition, and (3) protective personnel equipment. The total value of all equipment transferred within the year may not, however, exceed $325,000. Both the House and Senate are to be notified at least 15 days in advance of any transfer of weapons or related items.

Section 4 of the bill modifies these restrictions further by:

(1) removing the limitation on the total value of equipment that can be transferred; and

(2) permitting, besides small arms, ammunition and protective equipment, the following additional items from the Munitions List to be furnished: bomb detonation and de-activation equipment, mine sweeping equipment, armor plating, communication scrambling devices and scuba equipment.

The bill limits the amount of lethal equipment, i.e., weapons and ammunition, that can be provided to any single country. No more than 10%, by value, of all equipment transferred to any country may be lethal. Furthermore, cattle prods and similar equipment with a history of being abused in connection with human rights violations by securing forces may not be provided.

Under current laws personnel of the United States government may not provide training on antiterrorism matters outside the United States for more than 30 days. The bill increases this to 90 days for training services provided to the four countries.

LIMITATIONS ON ASSISTANCE

Section 3 requires the President to send a report on each country to Congress before providing assistance. The report must state that:

(1) the security forces are not engaging in human rights violations;

(2) the government is making substantial progress in creating effective and independent law enforcement and judicial systems;

(3) the assistance will professionalize law enforcement; and

(4) the country has requested assistance in combatting terrorism.

A second report must be made by July 1, 1986 if the President wishes to continue the program beyond that date. The reports on El Salvador will be in addition to the April 1 and October 1, 1986 reports on human rights and law enforcement required by section 702 of the 1985 Foreign Assistance Act.

For Guatemala, the President must make a certification similar to the one required by section 703 of the 1985 Foreign Assistance Authorization Act before furnishing aid under this bill. The President must find that an elected civilian government is in power and taking steps to assert its authority over the security forces and eliminate human rights violations.

Two additional restrictions apply to all countries which receive assistance under this bill. First, if at any time the President finds that any of the assistance furnished is being used to torture individuals, he must cease all assistance to that country immediately. Second, no funds provided by this bill may be used by the intelligence agencies. This means intelligence agency personnel may not administer any part of the program nor can they furnish training services outside the U.S. with funds from this program.

COMMITTEE ACTION

On September 25, 1985 the Administration sent to the Congress notification of its intention to submit legislation requesting author-

ization of funds for a special counter-terrorism program for Central America. On October 10 Senator Lugar introduced the administration legislation, S. 1757, which was referred to the Committee on Foreign Relations.

On November 5, the Committee, in hearings chaired by Senator Lugar, received testimony on the administration proposal from Elliott Abrams, Assistant Secretary of State for Inter-American Affairs, and Lt. General Philip C. Gast, Director, Defense Security Assistance Agency, Department of Defense. Accompanying Mr. Abrams and providing additional testimony were Mr. James Michel, Deputy Assistant Secretary of State for Inter-American Affairs, and Ambassador Edward Marks, former Director of the Office for Combatting Terrorism, Department of State, at the time of the hearing on leave and at the Georgetown Center for Strategic and International Studies.

On November 13, the proposal was discussed at a business meeting of the Committee where it was decided to hold a closed briefing on the terrorist threat in Central America as well as an additional hearing. On November 18, the Committee met in an executive session, chaired by Senator Kassebaum, to receive a briefing from officials of the Central Intelligence Agency. State Department officials also testified, including Edward Corr, U.S. ambassador to El Salvador.

At its second hearing on November 19, with Senator Evans presiding, Mr. James Michel of the State Department and Edward Marks again testified and answered Committee questions. In addition, the Committee received testimony from public witnesses including Pat Holt, former staff director of the Committee on Foreign Relations, who gave his assessment of Congressional concerns that led to termination of AID's former Public Safety Program; Mr. Patrick Murphy, former Commissioner of Police of New York City and past President of the Police Foundation, who testified on how training with U.S. police departments can help professionalize foreign police, and Dr. Luis Aguilar of Georgetown University who presented a case for the program based on the emerging democratic opening in Central America. The Committee then heard testimony from two witnesses representing human rights organizations, Mr. Robert Goldman of America's Watch and Ms. Nina Shea of the International League for Human Rights who expressed misgivings about the legislation based on the human rights performance of various Central American security forces, particularly in El Salvador.

The proposal was considered again at a business meeting on November 20, where Senators who had attended the hearings and briefing described the testimony presented. On December 2, the Chairman circulated to other Committee members a substitute for the Administration proposal. The draft eliminated the Administration request for military assistance, eliminated Panama and Belize as recipient countries, provided $24 million in assistance to the law enforcement agencies of El Salvador, Honduras, Costa Rica, and Guatemala, provided $1 million for the requested Witness Protection Fund, placed additional oversight and reporting requirements on the overall program as well as special requirements for Guatemala, restricted involvement of intelligence agency personnel in assistance funded by the program, and placed limits on the type of

equipment which could be furnished. The Chairman offered his substitute for discussion at a business meeting on December 4. At a subsequent meeting on December 5, the Chairman and the Ranking Member jointly introduced a modified version of this substitute which served as the basis for Committee action. The joint draft of the Chairman and Ranking Member was marked-up and ordered reported favorably by the Committee.

During the December 5 business meeting the Committee conducted three roll call votes and agreed by unanimous consent to three additional amendments. On the motion of Senator Mathias, the Committee unanimously agreed to replace at appropriate places in the bill the word "progress" with the phrase "substantial progress". On another motion of Senator Mathias, it was unanimously agreed to insert the requirement that countries formally request counter-terrorism assistance before its provision by the United States. The Committee agreed to modify the provisions conditioning assistance to Guatemala on an amendment by Senator Kerry, as modified by Senator Evans and Senator Dodd. The Committee also agreed to a suggestion by Senator Kassebaum that report language be included which directed the GAO to consult closely with police, public safety, counter-terrorism experts and others in preparation of the reports required by this legislation.

In other action, the Committee, on a 1–15 vote, defeated Senator Helms' motion that the original administration bill be substituted for the Lugar-Pell compromise (For: Senator Helms; Against: Senators Lugar, Mathias, Kassebaum, Pressler, Murkowski, Trible, Evans, Pell, Biden, Sarbanes, Zorinsky, Cranston, Dodd, Eagleton, and Kerry). Senator Helms also moved that Panama be included in the substitute bill with conditions on the assistance relating to progress in the inquiry and resolution of the murder of Dr. Hugo Spadafora. The motion failed on a vote of 2–14 (For: Senators Helms and Pressler; Against: Senators Lugar, Mathias, Kassebaum, Murkowski, Trible, Evans, Pell, Biden, Sarbanes, Zorinsky, Cranston, Dodd, Eagleton, and Kerry).

The legislation was ordered reported as an original bill on a final vote of 15–1 (For: Senators Lugar, Mathias, Kassebaum, Boschwitz, Pressler, Murkowski, Trible, Evans, Pell, Biden, Sarbanes, Zorinsky, Cranston, Dodd, Eagleton; Against: Senator Kerry).

Committee Comments

THE NEED FOR THIS LEGISLATION

This legislation is necessary for two reasons. First, it will allow the United States to provide immediate help to the governments of El Salvador, Honduras, Costa Rica and Guatemala to counter the threat to their security and to the welfare of their peoples posed by acts of terrorist violence. Second, the security forces of these governments must become expert in law enforcement methods if they are to enjoy the support of their people as they bring terrorists to justice. The training and equipment the United States will provide under this bill will help them achieve this end.

In El Salvador, Honduras and Guatemala newly-elected civilian governments are struggling to put aside a history of authoritarian

rule and develop the institutions and traditions of representative democracy. However, there are in each of these countries those, on the right as well as the left, committed to the use of violence to oppose this move to democracy. These opponents have now decided to make the weapons of terrorism—assassination, kidnapping, hijacking and bombing—their preferred means. It is thus essential that the security forces of these governments be adequately equipped and trained to arrest the spread of terrorism. Our own strategic interests in the region, as well as our commitment to the democratic ideal, dictate that we help these countries overcome this threat to their survival.

The government of Costa Rica, a long-time democracy and friend of the United States, finds itself in a somewhat different position. For the moment, it faces no immediate threat of terrorist subversion. However, by virtue of its location terrorist violence aimed at its neighbors could spill across its borders. Furthermore, as a successful democracy, Costa Rica is tempting target for the enemies of democracy. In recognition of these factors, the Committee's bill permits the President to assist the security forces of this country as well.

The bill is also necessary to insure that in defending the new democracies of the region, democratic values are preserved. As opponents of democracy turn to urban terrorism, expertise in civilian law enforcement methods, as opposed to purely military skills, is required. The region's security forces, however, are in most cases a part of their country's armed forces. They have little expertise in civilian police matters. Moreover, many in these forces have ignored the elementary human rights of their citizens.

It would be a hollow victory indeed if, in suppressing terrorism, the security forces were to repress the people of the region as well. The Committee believes one way to guard against this is to train the region's security forces in modern law enforcement techniques. As our own experience in the United States demonstrates, the more professional the police force, the more it respects the rights of its citizens. The Committee believes that the training and equipment authorized by this bill will help create professional law enforcement agencies. It is the Committee's expectation that as these forces become more professional, they will evolve into independent police forces distinct from the military. The Committee recognizes that this transition will not take place overnight.

THE TERRORISM THREAT IN CENTRAL AMERICA

The Administration proposal arose from concern over the capabilities and practices of law enforcement authorities in Central America. That concern was heightened with the marked increases in terrorist incidents over the past year, most notably the murder of four U.S. Marines, two U.S. citizens, and seven others at the Zona Rosa restaurant in San Salvador in June.

Other attacks on civilian on non-combatants in El Salvador have included the kidnapping of President Duarte's daughter and the mayors of rural towns. Increased Salvadoran military capability, a decline in guerrilla manpower, and a reassessment of their own capabilities are among the reasons for an apparent shift in guerrilla

strategy. While still able to conduct major military operations, the guerrillas have clearly indicated they plan to increase acts of urban terrorism. Rebel aims in the new strategy appear to be to demoralize Salvadoran society, prompt excessive reprisals by Salvadoran military forces, and undermine democratic progress in that country.

In Honduras, bombings, kidnappings, and a hijacking have occurred, and during Committee consideration of this legislation the Administration cited intelligence reports indicating probable increases in such incidents. Costa Rica has not yet suffered large numbers of terrorist incidents, but their counter-terrorist capability is extremely limited in a region hosting extremist groups trained and supported by outside powers. Terrorist violence from both left and right is likely to increase in Guatemala as that nation moves to establish civilian government.

The Committee is mindful of the fact that most previous terrorist bloodshed in Central America has been associated with the political right. One need not go far into the past of either El Salvador or Guatemala for evidence of large scale human rights abuses from this traditional source of political violence. The Committee wishes to emphasize that the aim of this assistance is to help Central America's emerging democracies build the infrastructure to curb terrorist violence—be it from the left or the right.

Terrorist violence from the left is directed at governments whose newly-elected leaders are seeking to address long standing economic and social injustices. Some of those involved in the Zona Rosa killings were trained in Cuba and Nicaragua. Both Cuba and Nicaragua have provided basic infantry training to large numbers of insurgents throughout the region, as well as specialized training to selected groups. Both countries continue to provide important political and material support to the Salvadoran insurgency. Democratic progress in Central America poses the biggest threat to guerrilla political success. Their tactic of committing acts of urban terrorism is specifically targeted at undermining democratic openings.

Most disturbingly, the Committee heard evidence that Americans are increasingly being targeted throughout the region. Increased surveillance of Americans by suspected terrorist operatives has been reported in several countries. There are strong indications that Zona Rosa-style attacks or kidnappings will be attempted again.

The armies of the region have been trained primarily in rural warfare; they are ill-equipped to handle what essentially are police functions in battling urban terrorism. It is the Committee's hope that strengthening non-military law enforcement will reinforce democratic trends and demonstrate to the citizenry that elected civilian authorities are capable of providing secure urban environments without recourse to the brutality that has frequently characterized police practices in the region.

ANTITERRORISM ASSISTANCE UNDER THE FOREIGN ASSISTANCE ACT

The Antiterrorism Assistance chapter of the Foreign Assistance Act of 1961 originated in the International Security and Development Assistance Authorization Act of 1983. The assistance provided

under this chapter is designed to help friendly governments meet the threat posed by international terrorism. The goals of this assistance are to: (1) increase the skills of foreign governments in dealing with terrorism by providing training and equipment; (2) strengthen United States ties with the recipient countries by working together on a problem of mutual concern; and (3) heighten respect for human rights by sharing with the authorities of the countries receiving aid modern and humane law enforcement methods.

The principal focus of the program has been training. In the first years equipment transfers were not permitted. Recently, Congress has permitted the provision of some types of equipment to complement the training services being furnished. The program's emphasis remains, however, the training of civilian and military security forces.

From its inception, Congress has included safeguards to protect the program from abuse. The assistance that may be provided is carefully delimited. Moreover, before any assistance may be furnished, both the House and Senate must be notified of the country which is to receive assistance, the terms and duration of the assistance and an explanation of how the assistance will further the goals of the antiterrorism program. In a reflection of Congressional concern with human rights, if, after receiving this notification, either the chairman of the Senate Foreign Relations Committee or the House Foreign Affairs Committee requests a human rights report on the country designated to receive assistance, the President may not furnish any of the contemplated assistance until the report is provided.

The Committee has been satisfied with the antiterrorism program to date. In the 1985 Foreign Assistance Authorization Act, the funding level for the program was almost doubled. In addition, some of the restrictions included in the original legislation were modified. For example, the 1985 amendments permit the transfer of lethal equipment such as small arms.

The Central American program authorized by the Committee's legislation is incorporated directly into the Antiterrorism Assistance chapter. The assistance provided under this bill must therefore meet the criteria set out in the chapter. The human rights and Congressional oversight provisions, which have been so crucial to the successful operation of the antiterrorism program to date, will apply to the funds authorized by this legislation. The primary focus of the program will remain the provision of training services.

CHANGES TO THE ADMINISTRATION PROPOSAL

The Administration requested $54 million to counter terrorism in Central America. Of this amount, $27 million was for aid under the Military Assistance Program (MAP) while $26 million was earmarked for ATA. Another $1 million was sought for a witness protection fund. Assistance was requested for six countries: Honduras, El Salvador, Guatemala, Costa Rica, Belize and Panama. No human rights conditions beyond those contained in section 502B of the Foreign Assistance Act and those in the 1985 Foreign Assistance Act were included in the Administration's bill.

The Committee's bill provides no funds for MAP. The Committee viewed this part of the Administration's plan as simply a supplemental funding request. Funds were authorized by the Congress for MAP for 1986, and the President has adequate authority to provide counterterrorism programs to recipients of military assistance under existing law. Accordingly, the Committee concluded that additional military assistance was not necessary in this supplemental authorization.

The Committee legislation excludes the governments of Panama and Belize from receiving assistance. Given the present political situation in Panama, the Committee believes additional United States assistance is unwarranted at this time. With Belize, the Committee believes the Administration's request is not timely. It is willing to consider a request for that country at a later date.

For El Salvador, Honduras, Costa Rica and Guatemala the total amount the Administration sought for assistance under ATA was $24 million. The Committee's bill authorizes $21 million. The Administration's request was made in early October; at best the Committee bill will become law in late December. The $3 million cut is, in part, the result of this time lag. It also reflects the fact that the Central American program is a new initiative and one that contains a number of risks. The reduced funding is another signal of the Committee's desire to proceed with caution.

The Administration is free to allocate the $3 million reduction among the four countries as it chooses. It is not free, however, to increase the assistance provided under this bill above $21 million by reprogramming, transfer or other means. The Committee considered an amendment by Senator Kassebaum, supported by Senators Sarbanes and Evans, that would have made this prohibition a part of the bill. Based on Administration assurances that it would not go above the $21 million limit under this bill, Senator Kassebaum withdrew the amendment.

Finally, the Committee bill specifically limits the provision of assistance, and its continuance, to demonstrated progress in eradicating human rights abuses by the security forces in each country. This addition was supported unanimously: concern for human rights is neither a partisan nor an ideological issue. The human rights conditions contained in this legislation are in addition to those found in the 1985 Foreign Aid Authorization Act and in Section 502B of the Foreign Assistance Act.

COMMITTEE CONCERNS

Despite the need for an antiterrorism program to meet the threat in Central America and despite the success of the aid provided under the Antiterrorism Assistance chapter to date, the Committee approached this legislation with caution. It was only after much discussion, and substantial amendment of the Administration's original proposal, that the Committee determined that the benefits from such a program would outweigh the risks. The benefits are described above. Here the Committee wishes to share its views concerning the risks involved in an antiterrorism program and to explain the safeguards it added to the legislation to minimize them.

PREVIOUS EXPERIENCE WITH POLICE TRAINING PROGRAMS

The Committee was especially cautious in responding to the administration's request because of the experience with the Public Safety Program of the Agency for International Development. In 1974, Congress enacted Section 660 of the Foreign Assistance Act. That section, which prohibits in-country training of police, effectively terminated the Public Safety Program. Conscious of Senator Pell's reminder that those who forget the past are condemned to repeat it, the Committee considered carefully the lessons of the Public Safety Program.

Pat Holt, former staff director of the Committee, testified on the reasons Congress terminated the program. Although there was no evidence that U.S. personnel were directly involved in human rights abuses, there was substantial evidence that some of those trained under the program did engage in serious violations of human rights. Congress deemed that such abuses were repugnant to American values and continuance of the program too risky to our long-term interests, particularly in Latin America. Congress concluded the public diplomacy costs of being associated with foreign police forces over whose behavior we had little control were simply too high.

The case against training of foreign police based on its potential public diplomacy costs is a serious one, and the Committee weighed it carefully. The Committee's decision in favor of this program was based on the fact that the nations to be assisted are emerging democracies with leaders striving to make a break with the past and to overcome dedicated opponents of democracy. These leaders have indicated a strong desire for this type of assistance. An effective and human police force, accompanied by a functioning judiciary, is an essential attribute of a democracy. Citizens must have confidence that disputes can be resolved through legal means rather than through resort to violence. In the context of Central America, the Committee notes that this program carries potential political risks for the United States. However, the demonstrated commitment of democratically elected leaders to work to establish the institutions which will allow democracy to consolidate itself persuaded the Committee that this was a risk worth taking.

In addition, the Committee was impressed by the program's design as presented by the Administration. Unlike the Public Safety Program, this program will be under the direct management of the Embassy with oversight by the Interdepartmental Group on Terrorism. Emphasis will be on training with U.S. police departments; no resident staff or advisors are permitted under the legislation. The program appears designed with the goal of institution building clearly in mind. The oversight provisions of the legislation also should quickly alert Congress of deviation from the program's goals.

HUMAN RIGHTS

The Committee's long-standing concern for the human rights situation in Central America, especially the role of the security forces in committing abuses, was reinforced by the testimony received from several witnesses. The Committee took into consideration

their comments along with the positive changes discussed by the Department of State, such as the improvements made by President Duarte in El Salvador and the democratization underway in Guatemala.

In arguing for the need to professionalize the security forces, Chairman Lugar noted that there is a history of violation of civil liberties by those security forces. Representatives of the Americas Watch and the International League for Human Rights pointed to the recent history of abuses on the part of the security forces of El Salvador and stated that human rights violations still continue. The League cited problems that President Duarte is having with certain elements within the military over concessions made to the guerrillas in the negotiations for the release of his kidnapped daughter, and threats Duarte has received from the far right calling for a military coup. Senator Pell called the committee's attention to testimony that political prisoners are still tortured by the security forces. Senator Kerry cited reports that death squad killings continue.

On the other hand, the International League for Human Rights discussed some recent positive developments. Included in this list was the 1984 disbanding of the Intelligence Branch of the Treasury Police, implicated in human rights abuses, and the changes in command within the security forces. Chairman Lugar reported on his own conversations with Guatemalan officials during his recent visit to that country. He noted that they are aware of the human rights problem and have pledged to take action.

Chairman Lugar's substitute included funding for Guatemala. He pointed out the problem presented by the human rights record of the Guatemalan security forces. The testimony of America's Watch also noted this problem; the group stated that the police "tend to be efficient and brutal," and suggested that we await evidence that the civilian government is establishing control over the armed forces and police, and that substantial human rights progress is taking place, before furnishing assistance.

Responding to this very difficult issue, the chairman included in his draft substitute bill strict conditions, identical to those in the 1985 foreign assistance legislation, before aid may be provided to Guatemala under this bill. These conditions, as modified in response to suggestions by Senators Sarbanes, Kerry and Evans, require the new government to show substantial progress in establishing control over the security forces and in eliminating human rights abuses. Senator Sarbanes noted that significant steps could be taken in the first days the new government is in power to meet this requirement.

It was the Committee's continuing concern for the human rights situation in Central America that led to the decision to insist upon Presidential reports on the observance of human rights. The Committee further emphasized its concern by agreeing to Senator Dodd's amendment requiring the General Accounting Office (GAO) to also report on human rights. These reports would describe the progress made by each country in achieving the elimination of human rights violations by the security forces and achieving the professionalization of independent law enforcement systems. Senator Sarbanes noted that the GAO reporting would be helpful as

part of the close attention the Congress will pay to this program. The Committee endorsed Senator Kassebaum's suggestion that in doing its evaluation, GAO consult with professionals in law enforcement and counterterrorism, human rights groups, labor organization, and other knowledgeable about Central America.

The Committee recognizes that conflicting evidence is ofter presented about the human rights situation in Central America. One reason for requiring GAO reports is to have availiable to the Congress a balanced and objective analysis of the situation. To that end, the Committee expects that the GAO will review the reports prepared by non-governmental organizations as well as official sources such as the Inter-American Commission on Human Rights and the U.N. Human Rights Commission. The Committtee also expects the GAO to visit each country and interview church groups, labor union representatives and others concerned about human rights in the particular country in order to arrive at a independent assessment of whether progress on human rights has been made.

A related concern of the Committtee is the effectiveness of the administration of justice in Central America. Recent years have witnessed a consistent practice of political imprisonment, disappearances, and a failure to prosecute those, including members of the security forces, who have tortured or abused prisoners. There has been little progress in cases such as the assassination of Archbishop Romero, the AIFLD land-reform specialist, and the indiscriminate killings of Salvadoran peasants. Unexplained killings are frequent occurrences. Victims have included politicians, lawyers, priests, doctors, and peasants. Political abductions have been carried out without effective investigations by judical agencies, and there is evidence that some investigation have been impeded. There are serious questions about the ability of judicial systems in Central America to respond to the pattern of human rights abuses. As a result, the Committee is also requiring the President to report on the progress each country is making in establishing effective judicial systems.

INTELLIGENCE AGENCY INVOLVEMENT

The Committee bill strictly limits the involvement of United States intelligence agencies and personnel in the Central American counterterrorism program. The bill prohibits intelligence agency involvement in the program with the single exception of training services provided in the U.S. This could take the form of teaching a course on bomb detonation. Moreover, no intelligence agency may administer any part of the program. Personnel from the intelligence agencies may not even be sent abroad with program funds.

The limits on intelligence agency involvement were initiated by Senator Dodd. They were put in the bill to insure that the focus of the program remains the provision of training and equipment to combat terrorism and does not evolve, either by design of accident, into an intelligence operation. The Committee was assured by the Administration that it had on plans along these lines. This was made plain in a colloguy between Senator Dodd an Deputy Assistant Secretary Michel. Nonetheless, in view of the history of AID's Public Safety Program, where intelligence objectives appear to have

become mixed in with training objectives, the Committee thought it best to write the restrictions into law.

The Commttee recognizes that the provision of some limited amount of training in intelligence-related activities is a necessary part of a counterterrorism effort. The bill permits such training. Funds under this program may be used to procure materials used in connection with courses in intelligence matters. Intelligence-related equipment may also be furnished.

TRAINING AND EQUIPMENT

The Committee wishes to reiterate its intention that the Anti-terrorism Assistance Program (ATA) remain primarily a training, not an equipment transfer program. In providing the expanded authorities contained in this act, the Committee is mindful of the need for an equipment component to what is and shall remain a training program to combat terrorism. The ATA chapter of the Foreign Assistance Act of 1961, as amended, was never intended to become yet another spigot for additional security assistance. Except for limited amounts of specified equipment directly related to the counter-terrorism effort, funds provided under ATA are to be used *to train* law enforcement personnel abroad in techniques and methods designed to deter the terrorist threat. In acting favorably on this new request for Central America the Committee intends that the training element of this effort remain its primary focus.

With respect to training, the Committee intends that core training designed to professionalize law enforcement personnel and to enhance their capabilities in the fight against terrorism be conducted in the United States. Although a waiver is provided permitting exceptions to the existing statutory requirement in the ATA chapter, the Committee expects that its use should be limited to short-term technical and administrative aspects of the program such as courses to teach recipients on how to operate vehicles or radio and communication equipment. Because of the sensitivity expressed by many concerning the problems associated with the past public safety program, the Committee believes that most of the training to combat terrorism should be done by professionals in the United States.

The Committee is mindful of the economies that could be achieved if most training were done in the recipient countries. Nevertheless, the Committee believes that the best way to ensure an understanding of values such as respect for civil liberties, due process and the like is to insist that basic professional training be conducted at facilities in the U.S. The Committee opposes the *de facto* establishment of a regional training facility in Central America at this time. If the Administration desires to establish such a facility, it should submit such a request facility to the Congress.

SECTION-BY-SECTION ANALYSIS

Section 1. Short Title

This section provides that the bill may be cited as the "Central American Counterterrorism and Law Enforcement Professionalization Act of 1985."

Section 2. Addition of New Section to Antiterrorism Assistance Chapter of the Foreign Assistance Act

This section adds a new section, section 577, to the Antiterrorism Assistance Chapter of the Foreign Assistance Act of 1961. Consequently, except where explicitly provided to the contrary, all assistance provided under this new section must be in accord with the provisions of that chapter. An analysis of new section 577 follows:

Sec. 577(a)(1)—This subsection earmarks $21 million from the fiscal year 1986 authorization for antiterrorism assistance for use only in Central American countries.

Sec. 577(a)(2)—This subsection provides that four countries—Costa Rica, El Salvador, Guatemala and Honduras—may receive assistance under this section. Assistance may only be provided if the conditions applicable to each country, found in subsections (b) through (f) of the section, are met.

Sec. 577(b)—This subsection requires the President to immediately terminate all assistance provided under this section to a country if the President finds any of the assistance received by that country under this section has been used in the commission of acts of torture.

Sec. 577(c)—Paragraph (2) of section 573(d) of the Foreign Assistance Act permits personnel of the United States government located in the United States to provide advice on antiterrorism matters outside the United States for periods not to excceed 30 calendar days. Subsection (c) will allow these individuals to provide advice outside the United States to the countries eligible to receive assistance under section 577 for up to 90 consecutive calendar days.

Sec. 577(d)(1)—Paragraphs (1), (3) and (5) of section 573(d) of the Foreign Assistance Act contain certain limitations on the use of funds authorized under the Antiterrorism Assistance chapter. This subsection modifies the restrictions contained in paragraphs (1) and (5) in accord with subsections (2) and (3) of new section 577(d); the restriction in paragraph (3) of section 573(d), on use of State Department personnel for training, is waived.

Sec. 577(d)(2)—Although the absolute ban on training outside the United States in connection with the provision of antiterrorism assistance under section 577 has been waived, this subsection requires that to the greatest degree practicable, such training occur in the United States. Furthermore, no training may take place outside the United States unless, at least 15 days before funds for this training are obligated, both the House Foreign Affairs Committee and the Senate Foreign Relations Committee are notified. The notification must include the type of training, the reason it is being provided and a justification for why it is not taking place in the United States. Reports under this section are in addition to those required by section 574 of the Foreign Assistance Act, although the two may be presented as a single document for administrative convenience.

Sec. 577(d)(3)—This subsection modifies the ban on intelligence activities associated with the provision of antiterrorism assistance found in paragraph (5) of section 573(d) of the Foreign Assistance Act. The sharing of intelligence information and the provision of intelligence-related equipment is permitted. However, no intelli-

gence agency may administer any funds authorized by this section. Nor may funds authorized by this section be used to reimburse any intelligence agency for the expenses connected with the travel or stay of its personnel in any country receiving assistance under this section. Reimbursement with funds authorized by this section is permitted where intelligence agency personnel engage in training directly related to antiterrorism assistance and such training takes place in the United States.

Nothing in this subsection prohibits intelligence agency personnel from engaging in activities authorized by other provisions of law. For the purposes of this subsection, intelligence agency means: the Central Intelligence Agency, the National Security Agency, the Defense Intelligence Agency, the Bureau of Intelligence and Research of the Department of State, and the intelligence elements of the Army, Air Force, Navy, Marine Corps, Department of Treasury and Department of Energy.

Section 3. Restrictions on Assistance

Section 3 of the bill adds two additional subsections to new section 577 of the Foreign Assistance Act of 1961. These subsections contain the conditions that must be met before assistance may be provided under section 577. An analysis of these subsections follow:

Sec. 577(e)(1)—Before the President may provide assistance to any country under section 577, he must send a written report to the Speaker of the House of Representatives and the chairman of the Senate Foreign Relations Committee stating, for the particular country, that: (1) the security forces are not engaged in systematic human rights violations and that the leadership of these forces are committed to eradicating all human rights violations by members of their forces; (2) the government of the country is making substantial progress in creating effective and independent law enforcement agencies and judicial systems; and (3) the assistance that will be provided under this section is to professionalize law enforcement agencies. By "systematic human rights abuses" the Committee means a pattern, practise, or policy on the part of the security forces to engage in human rights abuses.

Sec. 577(e)(2)—This subsection enumerates some of the human rights violations the President is to discuss in the reports he is required to make under subsection (e)(1). It is not exhaustive but illustrative of the kinds of violations with which the Committee is concerned.

Sec. 577(e)(3)—This subsection requires the President to prepare and transmit to Congress a second report identical to that described in subsection (e)(1) if he wishes to furnish assistance to any country under this section on or after July 1, 1986. This report will only be required if assistance to any country under this section continues on or after July 1, 1986.

Sec. 577(e)(4)—This subsection requires the General Accounting Office to prepare three reports—due March 31, June 30, and September 30, 1986—describing the progress each country receiving assistance under this section has made in achieving: (1) an elimination in human rights violations by the security forces of that country; (2) effective law enforcement agencies and judicial systems; and (3) the professionalization of law enforcement agencies. The

report must also include a determination as to whether any country receiving assistance under this section has engaged in acts of torture. In the event the General Accounting Office is unable to reach a definitive conclusion on whether acts of torture have occurred, the report should set out in detail the evidence on this question presented by all parties.

Sec. 577(f)--This subsection prohibits the President from providing any assistance to the government of Guatemala until he transmits a certification to the Speaker of the House and the chairman of the Senate Foreign Relations Committee. The President must certify that an elected civilian government has taken office. He must also certify that the civilian government is making substantial progress in: (1) controlling the Guatemalan military and security forces; (2) eliminating human rights abuses by these forces; and (3) respecting the human rights of the indigenous Indian population.

Section 4. Transfers of Equipment and Commodities

Section 4 amends paragraph (4) of section 573(d) of the Foreign Assistance Act to exempt assistance provided under section 577 from the restrictions on the transfer of equipment and commodities currently contained in that paragraph. Section 4 permits the transfer of equipment and commodities without dollar limitation to countries receiving assistance under section 577. However, only certain kinds of equipment listed on the United States Munitions List may be transferred. Section 4(4) provides that only items in categories I, III, IV(c), IV(c), X, and XIII(b)(c) and (d) of the Munitions List as it now stands may be furnished. (A copy of the U.S. Munitions List is reprinted as an appendix to this report.) Furthermore, any items from these categories that are provided must be directly related to the anti-terrorism assistance being furnished under section 577. Both the House Committee on Foreign Affairs and the Senate Foreign Relations Committee must be notified 15 days before items from these categories are provided.

Section 4(4) establishes two restrictions on equipment and commodities that may be furnished under section 577. First, no more than 10 per centum, by value (based on original acquisition cost), of all the equipment and commodities provided to a country under section 557 may be lethal commodities and equipment. "Lethal" means small arms, ammunition and other types of materials that are manufactured for the purpose of in flicting serious bodily harm or death. Second, no shock batons, or similar devices that have a history of being used in connection with human rights abuses by security forces, may be provided under section 577.

Section 5. Counterterrorism Protection Fund

This section adds a new section to the State Department Basic Authorities Act of 1956. This new section authorizes the Secretary of State to reimburse individuals, agencies or government for protection extended to judges of foreign countries and to other persons who provide information or other assistance about any terrorist act. One million dollars is authorized for fiscal year 1986; it is to remain available until expended. This fund is named the Counterterrorism Protection Fund.

Section 6. Authorization of Appropriations

Section 6. increases the $9,840,000 originally authorized for antiterrorism assistance for fiscal year 1986 by $21 million to reflect the earmaking of $21 million for section 577.

COST ESTIMATE

In accordance with rule XXVI, paragraph 11(a) of the Standing Rules of the Senate, the Committee provides the following estimate, prepared by the Congressional Budget Office of the cost of its bill:

U.S. CONGRESS
CONGRESSIONAL BUDGET OFFICE
Washington, DC. December 6, 1985.

Hon. RICHARD G. LUGAR,
Chairman, Committee on Foreign Relations,
U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: The Congressional Budget Office has prepared the attached cost estimate on the Central American Counterterrorism and Law Enforcement Professionalization Act of 1985, as reported by the Committee on Foreign Relations on December 5, 1985.

Should the Committee so desire, we would be pleased to provide further details on the attached cost estimate.

Sincerely,

RUDOLPH G. PENNER, *Director.*

CONGRESSIONAL BUDGET OFFICE COST ESTIMATE

1. Bill number: Unassigned.

2. Bill title: Central American Counterterrorism and Law Enforcement Professionalization Act of 1985.

3. Bill status: As ordered reported by the Senate Committee on Foreign Relations on December 5, 1985.

4. Bill purpose: The bill authorizes $21 million for El Salvador, Honduras, Costa Rica, and Guatemala to enhance the ability of their law enforcement institutions to combat terrorism. The bill authorizes an additional $1 million for a Counterterrorism Protection Fund to finance protection for individuals who provide assistance relating to terrorist incidents.

5. Estimated cost to the Federal Government:

[By fiscal year in millions of dollars]

	1986	1987	1988	1989	1990
Authorization amount	22				
Estimated outlays	10	8	2	1	

Costs for this bill fall within budget function 150.

Basis for Estimate: The authorization amount is stated in the bill. It is assumed that the full amount authorized will be appropriated before January 1, 1986. Outlays were estimated using histori-

cal outlay rates for anti-terrorism assistance and international training programs.

6. Estimated cost to State and local government: None.

7. Estimate comparison: None.

8. Previous cost estimate: None.

9. Estimate prepared by: Lisa R. Brown (226-2840).

10. Estimate approved by: James L. Blum, Assistant Director for Budget Analysis.

Evaluation of Regulatory Impact

In accordance with paragraph 11(b) of Rule XXVI of the Standing Rules of the Senate, the Committee has concluded that there will be no regulatory impact from enactment of this legislation.

Changes in Existing Law

In compliance with paragraph 12 of Rule XXVI of the Standing Rules of the Senate, changes in existing law made by the bill, as reported, are shown as follows (existing law proposed to be omitted is enclosed in black brackets, new matter is printed in italic, existing law in which no change is proposed is shown in roman):

The Foreign Assistance Act of 1961, as Amended

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PART II

Chapter 8—Antiterrorism Assistance

Sec. 571. General Authority.—* * *

* * * * * * *

Sec. 573. Specific Authorities and Limitations.—(a) * * *

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(b) **Items on the Munitions List.**—Section 573(d)(4) of such Act is amended to read as follows:

(4)(A) Except as provided in [subparagraph (B)] *subparagraph (B) and (D)*, articles on the United States Munitions List established pursuant to the Arms Export Control Act may not be made available under this chapter.

(B) For fiscal years 1986 and 1987, articles on the United States Munitions List may be made available under this chapter *(other than under section 577)* if—

(i) they are small arms in category I (relating to firearms), ammunition in category III (relating to ammunition) for small arms in category I, or articles in category X (relating to protective personnel equipment), and they are directly related to antiterrorism training being provided under this chapter;

(ii) the recipient country is not prohibited by law from receiving assistance under one or more of the following provisions: chapter 2 of this part, chapter 5 of this part, or the Arms Export Control Act; and

(iii) at least 15 days before the articles are made available to the foreign country, the President notifies the Committee on

Foreign Affairs of the House of Representatives and the Committee on Foreign Relations of the Senate of the proposed transfer, in accordance with the procedures applicable to reprogramming notifications pursuant to section 634A of this Act.

(C) The value (in terms of original acquisition cost) of all equipment and commodities provided under subsection (a) of this section *(other than equipment and commodities made available under section 577)*, including articles described in subparagraph (B)(i) of this paragraph, may not exceed $325,000 in fiscal year 1986 or $325,000 in fiscal year 1987.

(D) For the fiscal year 1986, articles on the United States Munitions List may be made available under section 577 only if—

(i) they are small arms in category I (relating to firearms), ammunition in category III (relating to ammunition) for small arms in category I, articles in category IV(c) or VI(c), articles in category X (relating to protective personnel equipment), or articles in subsection (b), (c), or (d) of category XIII, and they are directly related to anti-terrorism assistance under section 577; and

(ii) at least 15 days before the articles are made available to the foreign country, the President notifies the Committee on Foreign Affairs of the House of Representatives and the Committee on Foreign Relations of the Senate of the proposed transfer, in accordance with the procedures applicable to reprogramming notifications pursuant to section 634A of this Act.

(E) Not more than 10 percent of the value (in terms of original acquisition cost) of all equipment and commodities which are provided under section 577 to any country may constitute lethal commodities and equipment, and no shock batons or similar devices may be provided under section 577.

* * * * * * *

Sec. 575. Authorizations of Appropriations.—(a) There are authorized to be appropriated to the President to carry out this chapter **[**$9,840,000 for fiscal year 1986**]** *$30,840,000 for fiscal year 1986,* and $9,840,000 for fiscal year 1987.

* * * * * * *

***Sec. 577. Special Assistance To Combat Terrorism in Central American Countries.**—(a)(1) Of the funds authorized to be appropriated for the fiscal year 1986 by section 575, not to exceed $21,000,000 shall be available only to combat terrorism in Central American countries.*

(2) Except as otherwise provided in this section, for the fiscal year 1986, Costa Rica, El Salvador Guatemala, and Honduras are authorized to receive assistance under this section.

(b) If the President determines that a country receiving assistance under this section is using such assistance to engage in arts of torture, the President shall terminate such assistance to such country.

(c) The provisions of paragraph (2) of section 573(d), authorizing United States Government personnel to advise on antiterrorism matters outside the United States, shall apply to assistance provided under this section, except that the limitation of thirty consecutive

calendar days shall be extended to ninety consecutive calendar days for purposes of this subsection.

(d)(1) Except as otherwise provided in this subsection, the provisions of paragraphs (1), (3), and (5) of section 573(d) shall not apply to assistance furnished under this section.

(2) To the maximum extent practicable, training services provided under this section shall be conducted in the United States, and no funds may be obligated for any such training service to be performed outside the United States unless the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives are notified fifteen days in advance of such obligation. Each notification of any such proposed obligation shall specify—

(A) the nature and purpose of such proposed obligation; and

(B) the reasons why it is not feasible or desirable to conduct such training services in the United States.

(3) None of the funds made available for assistance under this section shall be provided by or through any intelligence agency of the United States, and no personnel of any such intelligence agency may participate in the provision of assistance under this section except to the extent the participation of such personnel is directly related to antiterrorism training provided under this section and conducted in the United States.

(e)(1) No assistance under this section may be made available for any country until the President prepares and transmits to the Speaker of the House of Representatives and to the chairman of the Committee on Foreign Relations of the Senate a report stating that—

(A) the security forces of such country are not engaged in systematic human rights violations, and the leadership of these forces are committed to eradicating all human rights violations within their respective forces;

(B) the government of such country is making substantial progress in creating law enforcement and judicial systems which promote and encourage the investigation and prosecution of criminal acts;

(C) any assistance, including training, will achieve the purpose of professionalizing independent law enforcement agencies; and

(D) such country has submitted a formal written request to the United States for such assistance.

(2) For purposes of paragraph (1), the "human rights violations" includes the use of torture, incommunicado detention, detention of persons solely for the nonviolent expression of their political views, and prolonged detention without trial.

(3) No funds under this section may be obligated or expended for any country on or after July 1, 1986, unless the President on June 30, 1986, prepares and transmits an additional report as described in paragraph (1).

(4) Not later than March 31, June 30, and September 30, 1986, the Comptroller General of the United States shall prepare and transmit to the Speaker of the House of Representatives and the chairman of the Committee on Foreign Relations of the Senate a report which—

(A) describes the progress made by each country receiving assistance under this section toward achieving—

(i) the elimination of human rights violations by the security forces of such country and a commitment by the leadership of these forces to an eradication of all human rights violations within their respective forces,

(ii) the creation by the government of such country of law enforcement and judicial systems which promote and encourage the investigation and prosecution of criminal acts, and

(iii) the professionalization of independent law enforcement agencies, and

(B) includes a determination as to whether any country receiving assistance under this section has engaged in acts of torture, abuse, or other physical, or mental harm of prisoners,

during the preceding three-month period or the period since the date of enactment of this section, whichever is shorter.

(f) In addition to the requirements of subsection (e) applicable to Guatemala, no assistance under this section may be available for Guatemala unless the President certifies to the Speaker of the House of Representatives and the chairman of the Committee on Foreign Relations of the Senate that—

(1) an elected civilian government is in power in Guatemala; and

(2) the newly elected Government of Guatemala has demonstrated substantial progress—

(A) in achieving control over its military and security forces;

(B) toward eliminating kidnapings and disappearances, forced recruitment into the civil defense patrols, and other abuses by such forces of internationally recognized human rights; and

(C) in respecting the internationally recognized human rights of its indigenous Indian population.

* * * * * * *

State Department Basic Authorities Act of 1956

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Title I—Basic Authorities Generally

Section 1. ** * **

* * * * * * *

Sec. 39. *(a) The Secretary of State is authorized to reimburse domestic and foreign persons, agencies, or governments for the protection of judges or other persons who provide assistance or information relating to terrorist incidents.*

(b)(1) There are auhorized to be appropriated to the Secretary of State $1,000,000 for the fiscal year 1986 for use in reimbursing persons, agencies, or governments under this section.

(2) Amounts appropriated under this section are authorized to remain available until expended.

(c) Amounts made available under this section may be referred to as the 'Counterterrorism Protection Fund'.

Source: Department of Defense, Defense Security Assistance Agency, Security Assistance Management Manual DoD-5105.38-M

TABLE 2-III-1
PART 121 -- THE UNITED STATES MUNITIONS LIST **

[Extracted from the International Traffic in Arms Regulations (ITAR), printed in the Federal Register, Vol. 49, No. 236, December 6, 1984, Rules and Regulations, pages 47686 through 47690.]

PART 121—THE UNITED STATES MUNITIONS LIST

Enumeration of Articles

Sec.
121.1 General. The United States Munitions List.
121.2 Interpretations of the United States Munitions List.
121.3 Aircraft and related articles.
121.4 Amphibious vehicles.
121.5 Apparatus and devices under Category IV(c).
121.6 Cartridge and shell castings.
121.7 Chemical agents.
121.8 End-items, components, accessories, attachments, parts, firmware, software and systems.
121.9 Firearms.
121.10 Forgings, castings and machined bodies.
121.11 Military demolition blocks and blasting caps.
121.12 Military explosives.
121.13 Military fuel thickeners.
121.14 Propellants.
121.15 Vessels of war and special naval equipment.

Authority: Section 38, Arms Export Control Act, 90 Stat. 744 (22 U.S.C. 2778); E.O. 11958, 42 FR 4311; 22 U.S.C. 2658.

Enumeration of Articles

§ 121.1 General. The United States Munitions List.

(a) The following articles, services and related technical data are designated as defense articles and defense services pursuant to sections 38 and 47[7] of the Arms Export Control Act (22 U.S.C. 2778 and 2794[7]).

Changes in designations will be published in the Federal Register. Information and clarifications on whether specific items are defense articles and services under this subchapter may appear periodically in the Munitions Control Newsletter published by the Office of Munitions Control.

(b) *Significant Military Equipment.* An asterisk precedes certain defense articles in the following list. The asterisk means that the article is deemed to be "significant military equipment" to the extent specified in § 120.19. The asterisk is placed as a convenience to help identify such articles.

Category I—Firearms

*(a) Nonautomatic, semi-automatic and fully automatic firearms to caliber .50 inclusive, and all components and parts for such firearms. (See §§ 121.9 and 123.16-123.18.)

(b) Riflescopes manufactured to military specifications, and specifically designed or modified components therefor; firearm silencers and suppressors, including flash suppressors.

*(c) Insurgency-counterinsurgency type firearms or other weapons having a special military application (e.g. close assault weapons systems) regardless of caliber and all components and parts therefor.

Category II—Artillery Projectors

*(a) Guns over caliber .50, howitzers, mortars, and recoilless rifles.

*(b) Military flamethrowers and projectors.

(c) Components, parts, accessories and attachments for the articles in paragraphs (a) and (b) of this category, including but not limited to mounts and carriages for these articles.

[NOTE: "Significant military equipment" means articles for which special export controls are warranted because of their capacity for substantial military utility or capacity. Section 47(6), AECA, provides a definition of "major defense equipment" and refers to "significant combat equipment" on the U.S. Munitions List. The terms "significant military equipment" and "significant combat equipment" are considered to be equivalent. (Source: ITAR, paragraph 120.19.)]

TABLE 2-III-1. The United States Munitions List.

Category III—Ammunition

*(a) Ammunition for the arms in Categories I and II of this section. (See § 121.8.)

(b) Components, parts, accessories, and attachments for articles in paragraph (a) of this category, including but not limited to cartridge cases, power bags, bullets, jackets, cores, shells (excluding shotgun shells), projectiles, boosters, fuzes and components therefor, primers, and other detonating devices for such ammunition. (See § 121.8.)

(c) Ammunition belting and linking machines.

*(d) Ammunition manufacturing machines and ammunition loading machines (except handloading ones).

Category IV—Launch Vehicles, Guided Missiles, Ballistic Missiles, Rockets, Torpedoes, Bombs and Mines

*(a) Rockets (including but not limited to meteorological and other sounding rockets), bombs, grenades, torpedoes, depth charges, land and naval mines, as well as launchers for such defense articles, and demolition blocks and blasting caps. (See § 121.11.)

*(b) Launch vehicles and missile and anti-missile systems including but not limited to guided, tactical and strategic missiles, launchers, and systems.

(c) Apparatus, devices, and materials for the handling, control, activation, monitoring detection, protection, discharge, or detonation of the articles in paragraphs (a) and (b) of this category. (See § 121.5.)

*(d) Missile and space vehicle powerplants.

*(e) Military explosive excavating devices.

*(f) Ablative materials fabricated or semi-fabricated from advanced composites (e.g., silica, graphite, carbon, carbon/carbon, and boron filaments) for the articles in this category that are derived directly from or specifically developed or modified for defense articles.

*(g) Non/nuclear warheads for rockets and guided missiles.

(h) All specifically designed or modified components, parts, accessories, attachments, and associated equipment for the articles in this category.

Category V—Explosives, Propellants, and Incendiary Agents

*(a) Military explosives. (See § 121.12.)

*(b) Military fuel thickeners. (See § 121.13.)

(c) Propellants for the articles in Categories III and IV of this section. (See § 121.14.)

(d) Military pyrotechnics, except pyrotechnic materials having dual military and commercial use.

(e) All compounds specifically formulated for the articles in this category.

Category VI—Vessels of War and Special Naval Equipment

*(a) Warships, amphibious warfare vessels, landing craft, mine warfare vessels, patrol vessels, auxiliary vessels, and service craft, experimental types of naval ships and any vessels specifically designed or modified for military purposes. (See § 121.15.)

*(b) Turrets and gun mounts, arresting gear, special weapons systems, protective systems, submarine storage batteries, catapults and other components, parts, attachments, and accessories specifically designed or modified for combatant vessels.

*(c) Mine sweeping equipment, components, parts, attachments and accessories specifically designed or modified therefor.

(d) Harbor entrance detection devices, (magnetic, pressure, and acoustic ones) and controls and components therefor.

*(e) Naval nuclear propulsion plants, their land prototypes, and special facilities for their construction support, and maintenance. This includes any machinery, device, component, or equipment specifically developed, designed or modified for use in such plants or facilities. (See § 123.21.)

Category VII—Tanks and Military Vehicles

*(a) Military type armed or armored vehicles, military railway trains, and vehicles specifically designed or modified to accommodate mountings for arms or other specialized military equipment or fitted with such items.

*(b) Military tanks, combat engineer vehicles, bridge launching vehicles, half-tracks and gun carriers.

*(c) Self propelled guns and howitzers.

(d) Military trucks, trailers, hoists, and skids specifically designed, modified, or equipped to mount or carry weapons of Categories I, II and IV or for carrying and handling the articles in paragraphs (a) of Categories III and IV.

*(e) Military recovery vehicles.

*(f) Amphibious vehicles. (See § 121.4.)

*(g) Engines specifically designed or modified for the vehicles in paragraphs (a), (b), (c), and (f) of this category.

(h) All specifically designed or modified components and parts, accessories, attachments, and associated equipment for the articles in this category, including but not limited to military bridging and deep water fording kits.

TABLE 2-III-1 (Continued)

Category VIII—Aircraft, Spacecraft, and Associated Equipment

*(a) Aircraft, including but not limited to helicopters, non-expansive balloons, drones, and lighter-than-air aircraft, which are specifically designed, modified, or equipped for military purposes. This includes but is not limited to the following military purposes: gunnery, bombing, rocket or missile launching, electronic and other surveillance, reconnaissance, refueling, aerial mapping, military liaison, cargo carrying or dropping, personnel dropping, airborne warning and control, and military training. (See § 121.3.)

(b)*(1) Spacecraft, including manned and unmanned, active and passive satellites (except those listed in Category VIII(b)(2).

(2) Non-military communication satellites (excluding ground stations and associated equipment not enumerated elsewhere in § 121.1).

*(c) Military aircraft engines, except reciprocating engines, and spacecraft engines specifically designed or modified for the aircraft and spacecraft in paragraphs (a) and (b) of this category.

*(d) Cartridge-actuated devices utilized in emergency escape of personnel and airborne equipment (including but not limited to airborne refueling equipment) specifically designed or modified for use with the aircraft, spacecraft, and engines of the types in paragraphs (a), (b), and (c) of this category.

(e) Launching and recovery equipment for the articles in paragraphs (a) and (b) of this category, if the equipment is specifically designed or modified for military use or for use with spacecraft. Fixed land-based arresting gear is not included in this category.

(f) Power supplies and energy sources specifically designed or modified for spacecraft.

(g) Components, parts, accessories, attachments, and associated equipment (including ground support equipment) specifically designed or modified for the articles in paragraphs (a) through (f) of this category, excluding aircraft tires and propellors used with reciprocating engines.

(h) Developmental aircraft components which have a significant military application, excluding aircraft components concerning which Federal Aviation Agency certification has been granted.

*(i) Ground effect machines (GEMS) specifically designed or modified for military use, including but not limited to surface effect machines and other air cushion vehicles, and all components, parts, and accessories, attachments, and associated equipment specifically designed or modified for use with such machines.

*(j) Inertial navigation systems and components designed specifically for such systems. Systems or components which are standard equipment in civil aircraft, including spare parts and spare units to be used exclusively for the maintenance of inertial navigation equipment incorporated in civil aircraft, and which are certified by the Federal Aviation Administration as being an integral part of such aircraft are subject to export regulation by the Office of Munitions Control only if the export is intended for a controlled country described in section 620(f) of the Foreign Assistance Act of 1961, as amended (22 U.S.C. 2370(f)) (except Yugoslavia). The Export Administration Act of 1979, as amended (50 U.S.C. App. section 2410(c)) deals with the export of such items to non-controlled countries. All exports of technical data (regardless of destination) relating to the design, development, production or manufacture of inertial navigation equipment (regardless of accuracies) or its related parts, components, or subsystems are subject to the requirements of the regulations contained in this subchapter. The export of technical data relating to the repair of parts, components, or subsystems of inertial navigation systems (including accelerometers and gyroscopes) which are not certified by the FAA as being an integral part of civil aircraft are subject to the requirements of this subchapter. The provisions of XII(e) and XII(c) are not applicable to such exports of technical data.

Category IX—Military Training Equipment

(a) Military training equipment including but not limited to attack trainers, radar target trainers, radar target generators, gunnery training devices, antisubmarine warfare trainers, target equipment, armament training units, operational flight trainers, air combat training systems, radar trainers, navigation trainers, and simulation devices related to defense articles.

(b) Components, parts, accessories, attachments, and associated equipment specifically designed or modified for the articles in paragraph (a) of this category.

Category X—Protective Personnel Equipment

(a) Body armor specifically designed, modified or equipped for military use; articles, including but not limited to clothing, designed, modified or equipped to protect against or reduce detection by radar, infrared (IR) or other sensors; military helmets equipped with communications hardware, optical sights, viewing devices or mechanisms to protect against thermal flash or lasers, excluding standard military helmets.

(b) Partial pressure suits and liquid oxygen converters used in aircraft in Category VIII(a).

TABLE 2-III-1 (Continued)

(c) Protective apparel and equipment specifically designed or modified for use with the articles in paragraphs (a) through (d) in Category XIV.

(d) Components, parts, accessories, attachments, and associated equipment specifically designed or modified for use with the articles in paragraphs (a), (b), and (c) of this category.

Category XI—Military and Space Electronics

(a) Electronic equipment not included in Category XII of the Munitions List which is assigned a military designation or is specifically designed, modified or configured for military application. This includes but is not limited to the following:

*(1) Underwater sound equipment, including but not limited to towed arrays, electronic beam forming sonar, target classification equipment, and spectrographic displays; search, acquisition, tracking, moving target indication and imaging radar systems; active and passive countermeasures and counter-countermeasures equipment; electronic fuses; identification systems; command, control and communications systems; and, regardless of designation, any experimental or developmental electronic equipment specifically designed or modified for military application, or for use with a military system and

(2) Sonic depth finders; underwater telephones; electro-mechanical beam forming sonars and elementary sonobuoys; radios (including transceivers); weather, navigation, and air traffic control radar systems; navigation, guidance, object-locating equipment; displays; and telemetering equipment.

(3) Armored coaxial cable capable of RF, optical, or high voltage power transmission.

(b) Space electronics:

*(1) Electronic equipment specifically designed or modified for spacecraft and spaceflight, and

(2) Electronic equipment specifically designed or modified for use with non-military communications satellites.

*(c) Electronic systems or equipment specifically designed, modified, configured, used or intended for use in search, reconnaissance, collection, monitoring, direction-finding, display, analysis and production of information from the electromagnetic spectrum for intelligence or security purposes and electronic systems or equipment designed or modified to counteract such surveillance and monitoring.

(d) Very High Speed Integrated Circuit (VHSIC) semiconductor devices that are specifically designed for military applications and which have a high-speed signal and image processing capability with an operational parameter (gate-time-clock-frequency) or greater than 10^{11} gates X hertz for an individual semiconductor device.

(e) Components, parts, accessories, attachments, and associated equipment specifically designed or modified for use or currently used with the equipment in paragraphs (a) through (c) of this category, except for such items as are in normal commercial use.

Category XII—Fire Control, Range Finder, Optical and Guidance and Control Equipment

*(a) Fire control systems; gun and missile tracking and guidance systems; military infrared, image intensifier and other night sighting and night viewing equipment; military masers and military lasers; gun laying equipments; range, position and height finders and spotting instruments; aiming devices (electronic, gyroscopic, optic, and acoustic); bomb sights, bombing computers, military television sighting and viewing units, inertial platforms, and periscopes for the articles of this section.

*(b) Inertial and other weapons or space vehicle guidance and control systems; spacecraft guidance, control and stabilization systems; astro compasses; and star trackers.

(c) Components, parts, accessories, attachments, and associated equipment specifically designed or modified for the articles in paragraphs (a) and (b) of this category, except for such items as are in normal commercial use.

Category XIII—Auxiliary Military Equipment

(a) Aerial cameras, space cameras, special purpose military cameras, and specialized processing equipment therefor; military photointerpretation, stereoscopic plotting, and photogrammetry equipment, and components specifically designed or modified therefore.

(b) Speech scramblers, privacy devices, cryptographic devices and software (encoding and decoding), and components specifically designed or modified therefore, ancillary equipment, and protective appraratus specifically designed or modified for such devices, components, and equipment

(c) Self contained diving and underwater breathing apparatus specifically designed or modified for a military purpose and components specifically designed or modified therefore

(d) Armor plate and structural materials (including but not limited to plate, rolled and extruded shapes, bars and forgings, castings, welding consumables, carbon/carbon and metal matrix composites) specifically designed or modified for defense articles.

(e) Concealment and deception equipment, including but not limited to special paints, decoys, and simulators and components, parts and accessories specifically designed or modified therefor.

(f) Energy conversion devices for producing electrical energy from nuclear, thermal, or solar energy, or from chemical reaction which are specifically designed or modified for military application.

TABLE 2-III-1 (Continued)

(g) Chemiluminescent compounds and solid state devices specifically designed or modified for military application.
(h) Devices embodying particle beam and electromagnetic pulse technology.
(i) Metal embrittling agents.

Category XIV—Toxicological Agents and Equipment and Radiological Equipment

*(a) Chemical agents, including but not limited to lung irritants, vesicants, lachrymators, tear gases (except tear gas formulations containing 1% or less CN or CS), sternutators and irritant smoke, and nerve gases and incapacitating agents. (See § 121.7.)
*(b) Biological agents.
*(c) Equipment for dissemination, detection, and identification of, and defense against, the articles in paragraphs (a) and (b) of this category.
*(d) Nuclear radiation detection and measuring devices, manufactured to military specification.
(e) Components, parts, accessories, attachments, and associated equipment specifically designed or modified for the articles in paragraphs (c) and (d) of this category.

Category XV—[Reserved]

Category XVI—Nuclear Weapons Design and Test Equipment

*(a) Any article, material, equipment, or device which is specifically designed or modified for use in the design, development, or fabrication of nuclear weapons or nuclear explosive devices. (See § 123.21 and Department of Commerce Export Regulations, 15 CFR Part 378).
*(b) Any article, material, equipment, or device which is specifically designed or modified for use in the devising, carrying out, or evaluating of nuclear weapons tests or any other nuclear explosions, except such items as are in normal commercial use for other purposes.

Category XVII—Classified Articles Not Otherwise Enumerated

*All articles and technical data (as defined in § 120.21) relating thereto which are classified in the interests of national security and which are not otherwise enumerated in the U.S. Munitions List.

Category XVIII—Technical Data

Technical data (as defined in § 120.21) relating to the defense articles listed in the other categories of the United States Munitions List. (See § 125.4 for exemptions; see also § 123.21.)

Category XIX—Defense Services

Defense services (as defined in § 120.8) related to the defense articles listed in the other categories of the United States Munitions List.

Category XX—Submersible Vessels, Oceanographic and Associated Equipment

*(a) Submersible vessels, manned and unmanned, designed or modified for military purposes or having independent capability to maneuver vertically or horizontally at depths below 1,000 feet or powered by nuclear propulsion plants.
*(b) Submersible vessels, manned or unmanned, designed or modified in whole or in part from technology developed by or for the U.S. Armed Forces.
(c) Any of the articles in Categories VI, IX, XI, XIII, and elsewhere in this subchapter specifically designed or modified for use with submersible vessels, and oceanographic or associated equipment assigned a military designation.
(d) Equipment, components, parts, accessories, and attachments specifically designed or modified for any of the articles in paragraphs (a) and (b) of this category.

Category XXI—Miscellaneous Articles

Any article not specifically enumerated in the other categories of the U.S. Munitions List which has substantial military applicability and which has been specifically designed or modified for military purposes. The decision on whether any article may be included in this category shall be made by the Director of the Office of Munitions Control.

§ 121.2 Interpretations of the United States Munitions List.

The following interpretations (listed alphabetically) explain and amplify the terms used in § 121.1. These interpretations have the same force as if they were a part of the United States Munitions List category to which they refer.

§ 121.3 Aircraft and related articles.

In Category VIII, "aircraft" means aircraft designed, modified, or equipped for a military purpose, including aircraft described as "demilitarized." All aircraft bearing an original military designation are included in Category VIII. However, the following aircraft are not included so long as they have not been specifically equipped, re-equipped, or modified for military operations:

(a) Cargo aircraft bearing "C" designations and numbered C-45 through C-118 inclusive, C-121 through

TABLE 2-III-1 (Continued)

C-125 inclusive, and C-131, using reciprocating engines only.

(b) Trainer aircraft bearing "T" designations and using reciprocating engines or turboprop engines with less than 600 horsepower (s.h.p.).

(c) Utility aircraft bearing "U" designations and using reciprocating engines only.

(d) All liaison aircraft bearing an "L" designation.

(e) All observation aircraft bearing "O" designations and using reciprocating engines.

§ 121.4 Amphibious vehicles.

An "amphibious vehicle" in Category VII(f) is an automotive vehicle or chassis which embodies all-wheel drive, is equipped to meet special military requirements, and which has sealed electrical systems or adaptation features for deep water fording.

§ 121.5 Apparatus and devices under Category IV(c).

Category IV includes but is not limited to the following: Fuzes and components for the items listed in that category, bomb racks and shackles, bomb shackle release units, bomb ejectors, torpedo tubes, torpedo and guided missile boosters, guidance system equipment and parts, launching racks and projectors, pistols (exploders), igniters, fuze arming devices, intervalometers, guided missile launchers and specialized handling equipment, and hardened missile launching facilities.

§ 121.6 Cartridges and shell castings.

Cartridge and shell casings are included in Category III unless, prior to export, they have been rendered useless beyond the possibility of restoration for use as a cartridge or shell casing by means of heating, flame treatment, mangling, crushing, cutting, or popping.

§ 121.7 Chemical agents.

A chemical agent in Category XIV(a) is a substance having military application which by its ordinary and direct chemical action produces a powerful physiological effect. The term "chemical agent" includes, but is not limited to, the following chemical compounds:

(a) Lung irritants:
(1) Diphenylcyanoarsine (DC).
(2) Fluorine (but not fluorene).
(3) Trichloronitro methane (chloropicrin PS).
(b) Vesicants:
(1) B-Chlorovinyldichloroarsine (Lewisite, L).
(2) Bis(dichloroethyl)sulphide (Mustard Gas, HD or H).
(3) Ethyldichloroarsine (ED).
(4) Methyldichloroarsine (MD).
(c) Lachrymators and tear gases:
(1) A-Bromobenzyl cyanide (BBC).
(2) Chloroacetophenone (CN).
(3) Dibromodimethyl ether.
(4) Dichlorodimethyl ether (ClCi).
(5) Ethyldibromoarsine.
(6) Phenylcarbylamine chloride.
(7) Tear gas solutions (CNB and CNS).
(8) Tear gas orthochlorobenzalmalononitrile (CS).
(d) Sternutators and irritant smokes:
(1) Diphenylamine chloroarsine (Adamsite, DM).
(2) Diphenylchloroarsine (BA).
(3) Liquid pepper.
(e) Nerve agents, gases and aerosols. These are toxic compounds which affect the nervous system, such as:
(1) Dimethylamidoethoxycyanophosphine oxide (GA).
(2) Methylisopropoxyfluorophosphine oxide (GB).
(3) Methylpinacolyloxyfluorphosphine oxide (GD).
(f) Antiplant chemicals, such as: Butyl 2-chloro-4-fluorophenoxyacetate (LNF).

§ 121.8 End-items, components, accessories, attachments, parts, firmware, software and systems.

(a) An "end-item" is an assembled article ready for its intended use. Only ammunition, fuel or another energy source is required to place it in an operating state.

(b) A "component" is an item which is useful only when used in conjunction with an end-item. A major component includes any assembled element which forms a portion of an end-item without which the end-item is inoperable. (Example: airframes, tail sections, transmissions, tank treads, hulls, etc.) A minor component includes any assembled element of a major component.

TABLE 2-III-1 (Continued)

(c) "Accessories" and "attachments" are associated equipment for any component, end-item or system, and which are not necessary for their operation, but which enhance their usefulness or effectiveness. (Examples: riflescopes, special paints, etc.)

(d) A "part" is any single unassembled element of a major or a minor component, accessory, or attachment which is not normally subject to disassembly without the destruction or the impairment of design use. (Examples: rivets, wire, bolts, etc.)

(e) Firmware and any related unique support tools (such as computers, linkers, editors, test case generators, diagnostic checkers, library of functions and system test diagnostics) specifically designed for equipment or systems covered under any category of the United States Munitions List are considered as part of the end-item or component. "Firmware" includes but is not limited to circuits into which software has been programmed.

(f) "Software" includes but is not limited to the system functional design, logic flow, algorithms, application programs, operating systems and support software for design, implementation, test, operation, diagnosis and repair. A person who intends to export software only should, unless it is specifically enumerated in § 121.1, apply for a technical data license pursuant to Part 125 of this subchapter.

(g) A "system" is a combination of end-items, components, parts, accessories, attachments, firmware or software, specifically designed, modified or adapted to operate together to perform a specialized military function.

§ 121.9 Firearms.

(a) Category I includes revolvers, pistols, rifles, carbines, fully automatic rifles, submachine guns, machine pistols and machine guns to caliber .50, inclusive. It includes combat shotguns. It excludes other shotguns with barrels 18" or longer, BB, pellet, and muzzle loading (black powder) firearms.

(b) A "firearm" is a weapon not over .50 caliber which is designed to expel a projectile by the action of an explosive or which may be readily converted to do so.

(c) A "rifle" is a shoulder firearm which can discharge a bullet through a rifled barrel 18 inches or longer.

(d) A "carbine" is a lightweight shoulder firearm with a barrel under 18 inches in length.

(e) A "pistol" is a hand-operated firearm having a chamber integral with or permanently aligned with the bore.

(f) A "revolver" is a hand-operated firearm with a revolving cylinder containing chambers for individual cartridges.

(g) A "submachine gun", "machine pistol" or "machine gun" is a firearm originally designed to fire, or capable of being fired, fully automatically by a single pull of the trigger.

§ 121.10 Forgings, castings and machined bodies.

Articles on the United States Munitions List include articles in a partially completed state (such as forgings, castings, extrusions and machined bodies) which have reached a stage in manufacture where they are clearly identifiable as defense articles. If the end-item is an article on the United States Munitions List (including components, accessories, attachments and parts as defined in § 121.8), then the particular forging, casting, extrusion, machined body, etc., is considered a defense article subject to the controls of this subchapter, except for such items as are in normal commercial use.

§ 121.11 Military demolition blocks and blasting caps.

Military demolition blocks and blasting caps referred to in Category IV(a) do not include the following articles:

(a) Electric squibs.

(b) No. 6 and No. 8 blasting caps, including electric ones.

(c) Delay electric blasting caps (including No. 6 and No. 8 millisecond ones).

(d) Seismograph electric blasting caps (including SSS, Static Master, Vibrocap SR, and SEISMO SR).

(e) Oil well perforating devices.

TABLE I (Continued)

§ 121.12 Military explosives.

Military explosives in Category V include, but are not limited to, the following:

(a) Ammonium picrate.

(b) Black powder made with potassium nitrate or sodium nitrate.

(c) Cyclotetramethylenetetranitramine (HMX).

(d) Cyclotrimethyleneirinitramine (RDX, Cyclonite, Hexogen or T4).

(e) Dinitronaphthalene.

(f) Ethylenedinitramine.

(g) Hexanitrodiphenylamine.

(h) Nitroglycerin.

(i) Nitrostarch.

(j) Pentaerythritol tetranitrate (penthrite, pentrite or PETN).

(k) Tetranitronaphthalene.

(l) Trinitroanisol.

(m) Trinitronaphthalene.

(n) Trinitrophenol (picric acid).

(o) Trinitrophenylmethylnitramine (Tetryl).

(p) Trinitrotoluene (TNT).

(q) Trinitroxylene.

(r) Ammonium perchlorate nitrocellulose (military grade).

(s) Aluminum powder (spherical) with an average particle size of 100 micrometer diameter or less and a purity of 97% or greater.

(t) Any combinations of the above.

§ 121.13. Military fuel thickeners.

Military fuel thickeners in Category V include compounds (*e.g.*, octal) or mixtures of such compounds (*e.g.*, napalm) specifically formulated for the purpose of producing materials which, when added to petroleum products, provide a gel-type incendiary material for use in bombs, projectiles, flame throwers, or other defense articles.

§ 121.14 Propellants.

Propellants in Category V include, but are not limited to, the following:

(a) Propellant powders, including smokeless shotgun powder.

(b) Hydrazine (including Monomethyl hydrazine and symmetrical dimethyl hydrazine, but excluding hydrazine hydrate).

(c) Unsymmetrical dimethyl hydrazine.

(d) Hydrogen peroxide of over 85 percent concentration.

(e) Nitroguanidine or picrite.

(f) Nitrocellulose with nitrogen content of over 12.20 percent.

(g) Nitrogen tetroxide (nitrogen dioxide, dinitrogen tetroxide).

(h) Other solid propellant compositions, including but not limited to, the following:

(1) Single base (nitrocellulose).

(2) Double base (nitrocellulose, nitroglycerin).

(3) Triple base (nitrocellulose, nitroglycerin, nitroguanidine).

(4) Composite of nitroglycerin, ammonium perchlorate, potassium perchlorate, nitronium perchlorate, guanidine (guanidinium) perchlorate, nitrogen tetroxide, ammonium nitrite or nitrocellulose with plastics, metal fuels, or rubbers added; and compounds composed only of fluorine and halogens, oxygen, or nitrogen.

(5) Special purpose high energy solid military fuels with a chemical base.

(i) Other liquid propellant compositions, including but not limited to, the following:

(1) Monopropellants (hydrazine, hydrazine nitrate, and water).

(2) Bipropellants (hydrazine, fuming nitric acid HNO_3).

(3) Special purpose chemical base high energy liquid military fuels and oxidizers.

§ 121.15 Vessels of war and special naval equipment.

Vessels of war in Category VI include, but are not limited, to, the following:

(a) Combatant vessels:

(1) Warships (including nuclear-powered versions):

(i) Aircraft carriers (CV, CVN)

(ii) Battleships (BB)

(iii) Cruisers (CA, CG, CGN)

(iv) Destroyers (DD, DDG)

(v) Frigates (FF, FFG)

(vi) Submarines (SS, SSN, SSBN, SSG, SSAG)

(2) Other Combatant Classifications

(i) Patrol Combatants (PC, PHM)

(ii) Amphibious Helicopter/Landing Craft Carriers (LHA, LPD, LPH)

(iii) Amphibious Landing Craft Carriers (LKA, LPA, LSD, LST)

TABLE 2-III-1 (Continued)

(iv) Amphibious Command Ships (LCC)
(v) Mine Warfare Ships (MSO)
(b) Auxiliaries:
(1) Mobile Logistics Support
(i) Under way Replenishment (AD, AF, AFS, AO, AOE, AOR)
(ii) Material Support (AD, AR, AS)
(2) Support Ships:
(i) Fleet Support Ships (ARS, SSR ATA, ATF, ATS)
(ii) Other Auxiliaries (AG, AGDS AGF, AGM, AGOR, AGOS, AGS, AH AK, AKR, AOG, AOT, AP, APB, ARC ARL, AVM, AVT)
(c) Combatant Craft:
(1) Patrol Craft:
(i) Coastal Patrol Combatants (PB PCF, PCH, PTF)
(ii) River, Roadstead Craft (ATC, PBR)
(2) Amphibious Warfare Craft:
(i) Landing Craft (AALC, LCAC, LCM, LCPL, LCPR, LCU, LWT, SLWT)
(ii) Special Warfare Craft (LSSC, MSSC, SDV, SWCL, SWCM)
(3) Mine Warfare Craft:
(i) Mine Countermeasures Craft (MSB, MSD, MSI, MSM, MSR)
(d) Support and Service Craft:
(1) Tugs (YTB, YTL, YTM)
(2) Tankers (YO, YOG, YW)
(3) Lighters (YC, YCF, YCV, YF, YFN, YFNB, YFNX, YFR, YFRN, YFU, YG, YGN, YOGN, YON, YOS, YSR, YWN)
(4) Floating Dry Docks (AFDB, AFDL, AFDM, ARD, ARDM, YFD)
(5) Miscellaneous (APL, DSRV, DSV IX, NR, YAG, YD, YDT, YFB, YFND, YEP, YFRT, YHLC, YM, YNG, YP, YPD, YR, YRB, YRBN, YRDH, YRDM, YRR, YRST, YSD)
(e) Coast Guard Patrol and Service Vessels and Craft:
(1) Coast Guard Cutters (CGC, WHEC WMEC)
(2) Patrol Craft (WPB)
(3) Icebreakers (WAGB)
(4) Oceanography Vessels (WAGO)
(5) Special Vessels (WIX)
(6) Buoy Tenders (WLB, WLM, WLI, WLR, WLIC)
(7) Tugs (WYTM, WYTL)
(8) Light Ships (WLV)

TABLE 2-III-1 (Continued)